

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.	:	10/824,792	Confirmation No. 6663
Applicants	:	Stephen Michael Marceau et al.	
Filed	:	04/14/2004	
Title	:	Check Image Access System	
Assignee	:	Integrated Data Control, Inc.	
TC/A.U.	:	3691	
Examiner	:	Havan, Thu Thao	
Docket No.	:	7706.020CIP	

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

37 CFR § 1.132 DECLARATION OF LEROY SISCO

I, Leroy Sisco, state as follows:

1. I am over 21 years of age and am competent to make this declaration. All statements made of my own knowledge are true and all statements made on information and belief are believed to be true.

2. I am intimately familiar with a wide variety of information technology products that have been developed over the past 40 years for the banking industry. I am familiar and genuinely impressed with Integrated Data Control's ("Indacon's") "One Click Banking" system, which I understand to be the subject of the above-mentioned patent application. I make this declaration to express both the long felt need, and the failure of others, for Indacon's very meritable invention.

3. I recently retired from the banking industry, with which I have 38 years of experience. Between 1968 and 1988, I worked for NCR Corp. – a leading provider of comprehensive payment processing systems for financial institutions – as a Region Director in

charge of five states. Between 1988 and 1998, I was a Vice President for Advanced Computer Systems Inc. (ACS) – a financial-transaction software company – which was acquired by Bancotec Inc. in 1993. ACS's systems served about 2800 banks. Between 1998 and 2005, I was Senior Vice President of Bancsource, which served about 2500 banks.

4. As a banking information technology executive, I became familiar with the needs and requests of banking customers. I also became thoroughly familiar with the information technology (IT) and check processing systems that both my companies, and my companies' competitors, offered banks, credit unions, savings & loan institutions, and other financial institutions.

5. I have never seen an online check image delivery system as sophisticated, versatile, and useful as the One Click Banking system. I am aware of no competitive system capable of indexing, archiving, compressing, and delivering check and other financial transaction images to customers.

6. As a banking IT executive, I was quite familiar with the leading online banking IT systems that both Bancsource and its competitors offered to banks in the years prior to Indacon's patent application. Leading vendors of online banking IT systems included Fidelity National Information Services, Jack Henry & Associates, Inc., Unisys, and many others.

7. Both our own systems and our competitors' systems provided customers with digital check images in one of two ways. Customers were either provided with the ability to view and print out or download check images one at a time, or check images for large customers were burned to CDs or DVDs. Indeed, Bancsource installed racks of DVD burners at various bank customer sites for this very purpose. But no one provided banks and their customers with a

system for indexing and archiving multiple check images and downloading them a bank-customer application capable of searching and organizing those images.

8. Since the dawn of Internet banking, there has been a need for an information technology system that would enable banks to deliver not only electronic statements, but also electronic images of cleared checks and other transaction documents, to their customers over the Internet in a convenient, indexed, and searchable form. That need – already acute in the mid- and late-1990s – became more pressing with the advent of the Check 21 federal regulatory scheme in 2003, which allowed banks to process check information electronically and deliver electronic or printed copies of checks, rather than the original check, to banks that want them.

9. When our bank customers and potential customers considered our and our competitors' information technology systems, they wanted to know what their capabilities were. We communicated with hundreds of banks interested in paperless banking information technology systems. These banks wanted to know what our electronic statement and check image delivery capabilities were. They wanted to know if we could securely provide customers with cleared check information in a way that was convenient to both the bank and their customers and which could reduce the bank's costs.

10. Unfortunately, the systems that we and our competitors offered banks were significantly limited in their ability to make paperless banking more organizationally efficient than traditional, paper-based systems. Although many online banking systems allow customers to access digital statements and digital images of their checks, often customers can typically only access the images of one check at a time. Such systems fall far short of meeting the organizational needs of customers, because the check images are neither searchable nor linked to the transaction listings on their corresponding statements.

11. These inconveniences have impeded widespread consumer adoption of and transition to online banking. Because it is easier and less time consuming for customers to keep handling and filing statements and check images the old-fashioned way, customers are reluctant to make the switch. And customers who do make the switch are disappointed and frustrated with the slow, tedious, and labor-intensive efforts they have to make to download and organize their cleared check images. When customers resist online banking, and cling to the old paper-based way of doing things, this impedes the banks from reaping the significant cost-saving benefits of delivering statements and check images online rather than by paper.

12. The One Click Banking system uniquely overcomes these problems and meets consumer needs in, I believe, a truly revolutionary way. The One Click Banking system uniquely meets the organizational needs of customers by providing customers with a downloadable archive of downloadable cleared check images together with an electronic statement that includes hyperlinks to the cleared check. The One Click Banking system then goes the extra mile by indexing the statements and check images and providing customers with a software application to easily search, view, print, and organize the downloaded checks. Moreover, the One Click Banking system enables users to search across multiple downloaded indexes at the same time.

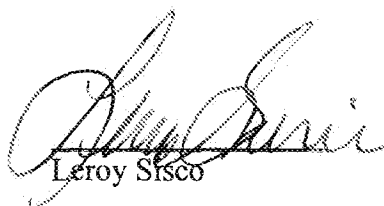
13. No existing system, other than One Click Banking, provides customers with a downloadable archive that contains both the cleared check images and a searchable index of those images. I have discussed this concept with representatives from major banks and service companies. They all acknowledge that they cannot provide such a product and that there are really no competing products in the industry that can even come close to matching One Click

Banking's capabilities. Having done significant research on this product area myself, I can attest that I have found nothing else on the market or in the prior art anywhere close to this product.

14. The One Click Banking system is an outstanding product. It really solves the problem and creates a great opportunity for banks to provide a truly useful service to their customers. I believe that the One Click Banking system will change the banking world. Given the long felt-need in the industry for such a product, and given the failure of others to meet that need, I believe that this system is non-obvious and worthy of patent protection.

15. I acknowledge that willful false statements and the like are punishable by fine or imprisonment or both (18 U.S.C. 1001) and may jeopardize the validity of the application or any patent issuing thereon.

1-21-09
Date


Leroy Sisco